IN THE UNITED STATES PATENT & TRADEMARK OFFICE

re app. of: Denison W. Bollay erial Number: 09/276,598

Filed: 3/25/99

Title: A Method of Executing an Electronic Commerce Sale from an Affiliate Web Site with A Vendor Through A Hub Server in One Step Without Reentering Shipping and Payment Information

Examiner: Wasylchak, S. **IGROUP ART UNIT: 2194**

REVISED AND RESUBMITTED PETITION TO WITHDRAW HOLDING OF ABANDONMENT

Attention: Office of Petitions Mail Stop: Petition

Commissioner of Patents & Trademarks

PO Box 1450

Alexandria, VA 22313-1450

Sir:

Applicant, by his attorney, herewith petitions the Commissioner of Patents and Trademarks to withdraw the holding of abandonment of this application.

This is a revised and resubmitted petition. The original petition was mailed 8/20/04. Applicant has not received a ruling on the original petition. A copy of the outstanding Office Action has been received by Applicant, which makes this revised petition necessary. A complete response to the outstanding Office Action is included herewith.

Petitioner states that:

- (1) Applicant filed a Notice of Appeal on January 31, 2003. A change of address was filed concurrently therewith. (EXHIBIT A)
- (2) The change of address filed on January 31, 2003, was time-stamped received by the U.S. Patent Office on February 7, 2003, as evidenced by a return receipt post card. (EXHIBIT B)
- (3) Upon information and belief, it is believed an Office Letter (EXHIBIT C) presumably mailed July 18, 2003, was mistakenly mailed by the Patent Office to Owen L. Lamb at PO Box 240, Santa Barbara CA 93102-0240, the previous correspondence address of applicant's attorney.

1

(4) Petitioner did not receive the Office Letter of EXHIBIT C, as evidenced by Petitioner's contemporaneous mail log (EXHIBIT D).

D-1507

- (5) A Notice of Abandonment was mailed on March 24, 2004 to the attorney of record Owen L. Lamb at PO Box 386, Prescott AZ 86302-0386.
- (6) The abandonment was unavoidable because the abandonment came about by Applicant's failure to reply to the Office Letter of EXHIBIT C, which applicant's attorney did not receive.
- (7) A response to the Office Letter of EXHIBIT C is not required by a petition to withdraw the holding of abandonment. However, a complete response the Office Letter mailed of EXHIBIT C is included herewith, including three copies of the Appeal Brief, corrected to overcome Examiner's objections thereto.
- (8) No fee is required for a petition to withdraw the holding of abandonment.

It is respectfully requested that the Commissioner of Patents and Trademarks withdraw the holding of abandonment of this application and resume prosecution of the Appeal.

Respectfully submitted,

Owen L. Lamb, Reg. #20,831

Attorney for applicant

Date: April 6, 2005

PO Box 386

Prescott, AZ 86302-0386 Phone/Fax: (928) 776-8037

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Priority Mail on the date shown below in an envelope addressed to:

Mail Stop: Petition

Commissioner for Patents

PO Box 1450

Arlington, Virginia 22313-1450

on April 6, 2005

Owen L. Lamb, Reg. # 20,831

D-1507 2

PTOISE/122 (10-01)
Approved for one Drough 10/31/2322 ONB 0551-0533
U.S. Pations and Tradestonic Officer U.S. DEPARTMENT OF COMMERCE
Approved for one department of the Commerce of the Commer

CHANGE OF CORRESPONDENCE ADDRESS Application

Address to: Assistant Commissioner for Patents Washington, D.C. 20231

pond to a collection of information unless a displaye a visit DMB covered number					
Application Humber	09/276,598				
Filling Date	03/25/1999				
First Named Inventor	DEN ISON W. BOILAY				
Art Unit	3624				
Examiner Name	WASYL CHAK				
Attorney Docket Number	0-1507				

Please change the Corre	spandence Address for the above-identified application
Customer Nu	Mace Customer Number here. Place Customer Number Bir Code Label here
OR ::	
Firm or tridividual Name	OWEN L. LAMB
Address	PO BOX 386
Address	
CITA	PAESCOTT State AZ ZIP 0326
Country	USA
Telephone	(928) 776 - 8037 Fax (928) 776 - 8037
	record of the entire integral. under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/95).
	practitioner named in the epolication transmittal letter in an application without an ath or declaration. See 37 CFR 1.33(a)(1). Registration Number
Typed or Printed Name OWEN	K. LAMB
Signature Out	a L Lainb
Date 1-29-	
HOTE: Signatures of all the Inver- toms if more than one algosture	sors or exsignoes of record of the entire interest or their representative(s) are required. Subtrill multiple is required, see below.

Burden Hour Schimest: This form is entriested to take 3 minuters to complem. Term not very depending upon the nexts of the individual case. Any comments of the individual case individual cas

RECEIVED IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

D-1507 Application #.09/276598 Filed: 3/25/1999 Inventor Denison W. Bollay

Enclosed:
(1) Transmittal Form (1 page)
(2) Change of Address (1 page)
(3) Appeal Notice (1 page)
(5) Check for \$160.00







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UNITED STATES DEPARTMENT OF COMMERCE U.S. Patent and Tris __nark Office Address: COMMSSIONER FOR PATENTS

P.O. Box 1450 Alexandria, Virginia 22313-1450

APPLICATION NOJ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.

EXAMINÉR

ART UNIT PAPER

13

DATE MAILED:

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner for Patents

NOTIFICATION OF NON-COMPLIANCE WITH THE REQUIREMENTS OF 37 CFR 1.192(c)

The amendment after final rejection filed on April 7, 2003 has been entered.

Appellant's Brief is defective in 9. APPENDIX (COPY OF APPEALED

CLAIMS) page 31 because it is based upon claims which were not officially entered and no notice of such entry was sent to Appellant by a required Advisory Action in response to Amendment After Notice of Appeal, The Appeal Brief is therefore based upon the original claim numbering and not on the amended claim numbering contained in the amendment simultaneously sent with the Appeal Brief.

Informalities in the Appeal Brief to be corrected include the omission of independent claim 18 on page 5, line 1. Also, the cover page incorrectly lists #9 APPENDIX (COPY OF APPEALED CLAIMS) as starting on page 28 when the claims start on page 31.

Appellant is required to comply with provisions of 37 CFR 1.192(c).

To avoid dismissal of the appeal, Appellant must comply with the provisions of 37 CFR 1.192(c) within the longest of any of the following TIME PERIODS: (1) ONE MONTH or THIRTY DAYS, whichever is longer, from the mailing of this communication; (2) within the time period for reply to the action from which appeal has been taken; or (3) within two months from the date of the notice of appeal under 37 CFR 1.191. Extensions of these time periods may be granted under 37 CFR 1.136.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Steven R. Wasylchak whose telephone number is (703) 308-2848. The examiner can normally be reached on Monday-Thursday from 7:00 a.m. to 6:00 p.m. EST.

PTO-90C (Rev.04-03)

If attempts to reach the examiner elephone are unsuccessful, the examiner's successful, the examiner's

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-1113.

Steven Wasylchak

Paper #13

6/25/03

HANI M. KAZIMI PRIMARY EXAMINER

DOCKET	CLIENT	DATE	TYPE OF ACTION	DUE	RESPONSE	COMMENTS
NUMBER	<u> </u>	·		DATE	DATE	
1487	9.1 1 Notify		Refund	NONE	NONE	\$793 refund from Lades & Pa
1507	Expertelligence		Post Card Receipt	NONE	NONE	Notice of Appeal received:
1548	Dehisen		Post Card Receipt	NONE	NONE	Amendment
1526	911Notify		Original Potent	NONE	NONE	6,504,909 1/7/03
1529	Dehlsen		Post Card Receipt	NONE	NONE	10/342910 1/15/03
1530	Intri-Plex		Post Card Receipt	NONE	NONE	Amendment
1523	Intri-Plex		Post Card Receipt	NONE	NONE	Amendment: Terminal Discl.
1523	Intri-Plex		Office Action	2/29/2003	2/10/03	Sub, Amendment filed.
1541	Intri-Plex		Post Card Receipt	NONE	NONE	Notice of Appeal received.
1523	Intri-Plex		Post Card Receipt	NONE	NONE	Subs. Amendment.
1561	Dehisen		Notice of non-recordati	3/24/03	3/19/03	
1579	Dehisen		Notice of Missing parts	4/28/03	4/28/03	New decl.
1591	Dehlsen		Int. Search Report	4/18/03	NONE	Amend?
1561	Oehlsen		Post Card Receipt	NONE	NONE	Recordation Cover
1541	Intrl-Plex		Post Card Receipt	NONE	NONE	Appeal Brief received.
1561	Dehlsen	.*	Notice of Publication	NONE	NONE	#US-2003-0044 3/6/03
1548	Dehlsen		Notice of Allowability	NONE	NONE	
1548	Dehlsen		Notice of Allowability	6/12/03	4/11/03	
1456	Intri-Plex		Office Action	6/28/03	4/21/03	Amend for allowance
1530	Intri-Plex		Office Action	6/28/03	4/21/03	Argue patentability
1598	Denisen		Filing Receipt	NONE	NONE	10/359,874 2/7/03
1507	Experielligence		Post Card Receipt	NONE	NONE	Appeal Brief
1548	Dehlsen		Post Card Receipt	NONE	NONE	Issue Fee
1530	Intri-Plex		Post Card Receipt	NONE	NONE	Argue patentability
1456	Intri-Plex		Post Card Receipt	NONE	NONE	Amend for allowance
1548	Denisen		Post Card Receipt	NONE	NONE	Assignment
1579	Denisen		Post Card Receipt	NONE	NONE	New decl.
1523	Intri-Plex		Notice of Allowability	NONE	NONE	1. 2.
1523	Intri-Plex		Notice of Allowance	8/5/03	8/5/03	Issue Fee Duc
1530	intri-Plex		Notice of non-complian		5/16/03	Amendment
1530	Intri-Plex		Post Card Receipt	NONE	NONE	Subs. Amendment filed
1595	Dehlsen		Post Card Receipt	NONE	NONE	10/428287 4/30/03
1456	intri-Plex		Notice of Allowability	NONE	NONE	Innue See Due
1456	Intri-Plex		Notice of Allowance	8/6/03	8/1/03	Issue Fee Due
1596	Dehlsen		Post Card Receipt	NONE	NONE	60/468899 5/7/03
1579	Dehlsen	•	Filing Reciept	NONE	NONE	10/342,910 1/15/03
1583	Dehlsen		Publication Notice	NONE	NONE	JOC although the Comment
1561	Dehlsen		Post Card Receipt	NONE	NONE	IDS citing Int. Search
1530	Intrl-Plex		Notice of Allowability	NONE	NONE	Response to Appeal Brief.
1530	Intri-Plex		Notice of Allowance	9/5/03	8/28/03	Issue Fee Due Response to Appeal Brief.
1541	Intri-Plex		Notice of Allowability	NONE	NONE	
1541	Intn-Plex		Notice of Allowance	9/2/03	8/28/03	Issue Fee Due
1599	Dehlsen		Post Card Receipt	NONE	NONE	10/449,342 5/31/03 Pretim. Amendment #2 filed
1580	Intri-Plex		Post Card Receipt	NONE	NONE	Prelim. Amendment #2 filed
1580	Intri-Plex		Post Card Receipt			
1595	Dehlsen		Filing Receipt	NONE	NONE	
1595	Dehlsen		Filing Receipt	NONE	NONE	60/468,899 5/7/03
1561	Dehlsen	, ,	First Office Action	10/1/03	9/19/03	التعاديقي وتاعوا الماريون
1507	Expertelligence		Advisory Action	NONE	NONE	Amendment entered.
1507	Expertelligence		Post Card Receipt	NONE	NONE	Change of Address
1458	Intri-Plex		Post Card Receipt	NONE	NONE	Issue Fee
1523	Intri-Plex		Post Card Receipt	NONE	NONE	Issue Fee
1599	Dehisen		Filing Receipt	NONE	NONE	10/449,342 5/31/03
1599	Dehlsen		Notice to Correct	10/4/03	9/17/03	Replacement Drawings
1452	Intri-Plex	8/10/03	Maintenance Fee State	NONE	NONE	Fee paid.

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1455	Intri-Plex	8/10/03 Maintenanco Fee State	NONE	NONE	Fee paid	
1459	Intri-Plex	8/10/03 Maintenance Fee State	NONE	NONE	Fee paid	
1561	Dehlsen	8/10/03 Notice of Nonrecordatio	9/8/03	9/17/03	Replacement As	ssignment
1530	Intri-Plex	8/28/03 Post Card Receipt	NONE	NONE	Issue Fee	
1541	Intri-Plex	8/28/03 Post Card Receipt	NONE	NONE	Issue Fee	
1580	Intri-Plex	8/28/03 Notice of Publication	NONE	NONE.		
1590	Dehlsen	8/28/03 Post Card Receipt	NONE	NONE	10/644,419	8/19/03
1548	Dehisen	9/10/03 Office Communication	NONE	NONE	Amend.entered.	9/30/03
1456	Intri-Plex	9/17/03 Issue Notification	NONE	NONE	6,625,871	9/30/03
1557	911Notify	9/17/03 Post Card Receipt	NONE	NONE	Change of addre	PS8
1561	Dehlsen	9/17/03 Post Card Receipt	NONE	NONE	Assignment	
1590	Dehisen	9/17/03 Post Card Receipt	NONE	NONE	Assignment	
1599	Dehlsen	9/17/03 Post Card Receipt	NONE	NONE	Preliminary Ame	endment
1598	Dehlsen	2/20/03 Post Card Receipt	NONE	NONE	10/359874	2/7/03
1561	Dehisen	9/26/03 Post Card Receipt	NONE	NONE	Amendment	•
1548	Dehisen	9/26/03 Notice of recordation	NONE	NONE	013982/0822	4/22/03
1523	intri-Plex	10/9/03 Issue Notification	NONE	NONE	6,831,553	10/14/03
1530	Intri-Plex	10/9/03 Issue Notification	NONE	NONE	6,634,084	10/21/03
1541	Intri-Plex	10/9/03 Issue Notification	NONE	NONE	6,634,085	10/21/03
1456	Intri-Plex	10/9/03 Original Patent	NONE	NONE	6,625,871	9/30/03
1557	911Notify	10/9/03 Official Action	10/16/03	10/16/03	Restriction	
1561	Dehisen	10/24/03 Notice of Allowance	1/14/04	11/25/03	Fee paid	
1557	911Notify	10/24/03 Post Card Receipt	NONE	NONE	Restriction	
1599	Dehlsen	11/3/03 Filing Receipt (updated	NONE	NONE	10/449,342	5/31/03
1590	Dehlsen	11/20/03 Filing Receipt	NONE	NONE	10/844,419	8/19/03
1599	Dehlsen	11/20/03 Post Card Receipt	NONE	NONE	Assignment	
1523	Intri-Plex	11/20/03 Original Patent	NONE'	NONE	6,631,553	10/14/03
1530	Intri-Plex	11/20/03 Original Patent	NONE	NONE	6,634,084	10/21/03
1541	Intn-Plex	11/20/03 Original Patent	NONE	NONE	6,634,085	10/21/03
1548	Dehlsen	11/30/03 Original Patent	NONE	NONE	6,653,744	11/25/03
1548	Denisen	12/1/03 Post Card Receipt	NONE	NONE	Onginal Patent	rec. by clicint.
1561	Dehlsen	12/1/03 Post Cord Receipt	NONE	NONE	Issue Fee paid	*****
1603	911Notify	12/1/03 Post Card Receipt	NONE	NONE	10/722,677	11/24/03
1557	911Nouty	12/3/03 Official Action	3/1/03	2/17/04	****	
1582	Dehlsen	12/10/03. Notice of Publication	NONE	NONE	#US-2003-0222	3/6/03